

The Social Security Consumer Protection Act addresses this issue in a few important ways. First, the bill prohibits charging for services that are provided for free by SSA and HHS unless the following statement is prominently displayed on the first page of the solicitation in bold type, 16-point font, "Important Public Disclosure: The product or service described here and assistance to obtain the product or service is available free of charge from the Social Security Administration and the Department of Health and Human Services. You may wish to check the government section of your local phone book for the phone number of your local Social Security Administration or Department of Health and Human Services office for help in obtaining this service for no charge or you may choose to use our service for a fee."

Should a consumer decide to use the services of one of these companies, they are protected from inappropriate use of their personal information. This bill prohibits the sale, transfer or use of personal information obtained on consumers through such a solicitation without their consent on a separate authorization form that clearly and plainly explains how their personal information could be used.

I am joined in introducing this important consumer legislation by Senators BRYAN, KERREY, and DODD.

I am also pleased that the Social Security Consumer Protection Act enjoys the support of such consumer organizations as the National Committee to Preserve Social Security and Medicare and the Consumer Federation of America.

Mr. President, these scams must come to an end. Consumers deserve full disclosure. This legislation will go a long way toward ensuring consumers understand their rights when it comes to obtaining services from their government. I urge my colleagues to support it.

I ask unanimous consent that a copy of the Social Security Consumer Protection Act be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1740

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Social Security Consumer Protection Act".

SEC. 2. PROHIBITION OF CHARGING FOR SERVICES OR PRODUCTS THAT ARE PROVIDED WITHOUT CHARGE BY THE SOCIAL SECURITY ADMINISTRATION OR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND PROHIBITION OF SALE, TRANSFER, OR USE OF CERTAIN INFORMATION.

(a) IN GENERAL.—Part A of title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by inserting after section 1140 the following:

"SEC. 1140A. PROHIBITION OF CHARGING FOR SERVICES OR PRODUCTS THAT ARE PROVIDED WITHOUT CHARGE BY THE SOCIAL SECURITY ADMINISTRATION OR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND PROHIBITION OF SALE, TRANSFER, OR USE OF CERTAIN INFORMATION.

"(a) IN GENERAL.—Except as provided in subsection (b), a person shall not offer, for a fee, to assist an individual to obtain a product or service that the person knows or should know is provided for no fee by the Social Security Administration or the Department of Health and Human Services.

"(b) EXCEPTION.—A person may offer assistance for a fee if, at the time the offer is made, the person provides, to the individual receiving the assistance, a written notice on the first page of the offer that clearly and prominently contains the following phrase (printed in bold 16 point type): 'IMPORTANT PUBLIC DISCLOSURE: The product or service described here and assistance to obtain the product or service is available free of charge from the Social Security Administration or the Department of Health and Human Services. You may wish to check the government section of your local phone book for the phone number of your local Social Security Administration or Department of Health and Human Services office for help in obtaining this service for no charge or you may choose to use our service for a fee.'

"(c) SALE, TRANSFER, OR USE OF INFORMATION.—

"(1) IN GENERAL.—Except with prior, express, written authorization from an individual, a person obtaining any information regarding such individual in connection with an offer of assistance under subsection (b) shall not—

"(A) sell or transfer such information; or

"(B) use such information for a purpose other than providing such assistance.

"(2) REQUIRED FORM OF AUTHORIZATION.—An authorization under paragraph (1) shall be presented to the individual as a separate document, clearly explaining the purpose and effect of the authorization and the offer under subsection (a) shall not be contingent on such authorization.

"(d) IMPOSITION OF PENALTY.—

"(1) IN GENERAL.—The Commissioner or the Secretary (as applicable), pursuant to regulations, may impose a civil monetary penalty against a person for a violation of subsection (a) or (c) not to exceed—

"(A) except as provided in subparagraph (B), \$5,000; or

"(B) in the case of a violation consisting of a broadcast or telecast, \$25,000.

"(2) VIOLATIONS WITH RESPECT TO INDIVIDUAL ITEMS.—

"(A) OFFER OF SERVICES.—In the case of an offer of services consisting of pieces of mail, each piece of mail in violation of this section shall be a separate violation.

"(B) USE OF INFORMATION.—In the case of a violation of subsection (c), each sale, transfer, or use of information with respect to an individual shall be a separate violation.

"(e) RECOVERY OF PENALTY.—

"(1) PROCEDURE.—The provisions of section 1128A (other than subsections (a), (b), (f), (h), (i) (other than paragraph (7)), and (m) and the first sentence of subsection (c)) shall apply to civil money penalties imposed under subsection (d) in the same manner as the provisions apply to a penalty or proceeding under section 1128A(a).

"(2) COMPROMISE.—Penalties imposed against a person under subsection (d) may be compromised by the Commissioner or the Secretary (as applicable).

"(3) VENUE.—Penalties imposed against a person under subsection (d) may be recovered in a civil action in the name of the United States brought in the district court of the

United States for the district in which the violation occurred or where the person resides, has its principal office, or may be found as determined by the Commissioner or the Secretary (as applicable).

"(4) DEDUCTION OF PENALTY FROM BENEFITS.—The amount of a penalty imposed under this section may be deducted from any sum then or later owing by the United States to the person against whom the penalty has been imposed.

"(f) USE OF PENALTY AMOUNTS RECOVERED.—

"(1) COSTS OF THE OFFICE OF THE INSPECTOR GENERAL.—Amounts recovered under this section shall be made available to the Commissioner and the Secretary (as applicable) to reimburse costs of the applicable Office of the Inspector General related to the enforcement of this section.

"(2) EXCESS AMOUNTS.—Amounts recovered under this section, in excess of the amounts needed to reimburse the Commissioner and the Secretary under paragraph (1), shall be deposited as miscellaneous receipts of the Treasury of the United States.

"(g) ENFORCEMENT.—The provisions of this section may be enforced through the Office of the Inspector General of the Social Security Administration or the Office of the Inspector General of the Department of Health and Human Services (as appropriate)."

(b) CONFORMING AMENDMENT.—The table of sections for part A of title XI of the Social Security Act is amended by inserting after the item relating to section 1140 the following:

"Sec. 1140A. Prohibition of charging for services or products that are provided without charge by the Social Security Administration or the Department of Health and Human Services and prohibition of sale, transfer, or use of certain information."

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 20, a bill to assist the States and local governments in assessing and remediating brownfield sites and encouraging environmental clean-up programs, and for other purposes.

S. 670

At the request of Mr. JEFFORDS, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 670, a bill to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualifying placement agencies, and for other purposes.

S. 863

At the request of Mr. DASCHLE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 863, a bill to amend title XIX of the Social Security Act to provide for medicaid coverage of all certified nurse practitioners and clinical nurse specialists.

S. 909

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 909, a bill to provide for

the review and classification of physician assistant positions in the Federal Government, and for other purposes.

S. 956

At the request of Ms. SNOWE, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 956, a bill to establish programs regarding early detection, diagnosis, and interventions for newborns and infants with hearing loss.

S. 1091

At the request of Mr. DEWINE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1091, a bill to amend the Public Health Service Act to provide for the establishment of a pediatric research initiative.

S. 1263

At the request of Mr. JEFFORDS, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 1263, a bill to amend the Balanced Budget Act of 1997 to limit the reductions in medicare payments under the prospective payment system for hospital outpatient department services.

S. 1419

At the request of Mr. MCCAIN, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from California (Mrs. FEINSTEIN), and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 1419, a bill to amend title 36, United States Code, to designate May as "National Military Appreciation Month".

S. 1539

At the request of Mr. DODD, the names of the Senator from Hawaii (Mr. INOUE) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1539, a bill to provide for the acquisition, construction, and improvement of child care facilities or equipment, and for other purposes.

S. 1592

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. BOXER), the Senator from Maryland (Ms. MIKULSKI), the Senator from Connecticut (Mr. DODD), and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 1592, a bill to amend the Nicaraguan Adjustment and Central American Relief Act to provide to certain nationals of El Salvador, Guatemala, Honduras, and Haiti an opportunity to apply for adjustment of status under that Act, and for other purposes.

S. 1633

At the request of Mr. MCCAIN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1633, a bill to recognize National Medal of Honor sites in California, Indiana, and South Carolina.

SENATE JOINT RESOLUTION 34

At the request of Ms. SNOWE, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of Senate Joint Resolution 34, a joint resolution congratulating and

commending the Veterans of Foreign Wars.

SENATE CONCURRENT RESOLUTION 32

At the request of Mr. CONRAD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of Senate Concurrent Resolution 32, a concurrent resolution expressing the sense of Congress regarding the guaranteed coverage of chiropractic services under the Medicare+Choice program.

SENATE CONCURRENT RESOLUTION 59

At the request of Mr. KYL, his name was added as a cosponsor of Senate Concurrent Resolution 59, a concurrent resolution urging the President to negotiate a new base rights agreement with the Government of Panama in order for United States Armed Forces to be stationed in Panama after December 31, 1999.

SENATE CONCURRENT RESOLUTION 60—EXPRESSING THE SENSE OF CONGRESS THAT A COMMEMORATIVE POSTAGE STAMP SHOULD BE ISSUED IN HONOR OF THE U.S.S. "WISCONSIN" AND ALL THOSE WHO SERVED ABOARD HER

Mr. FEINGOLD (for himself and Mr. KOHL) submitted the following concurrent resolution; which was referred to the Committee on Governmental Affairs:

S. CON. RES. 60

Whereas the Iowa Class Battleship, the U.S.S. Wisconsin (BB-64), is an honored warship in United States naval history, with 6 battle stars and 5 citations and medals during her 55 years of service;

Whereas the U.S.S. Wisconsin was launched on December 7, 1943, by the Philadelphia Naval Shipyard; sponsored by Mrs. Walter S. Goodland, wife of then-Governor Goodland of Wisconsin; and commissioned at Philadelphia, Pennsylvania, on April 16, 1944, with Captain Earl E. Stone in command;

Whereas her first action for Admiral William "Bull" Halsey's Third Fleet was a strike by her task force against the Japanese facilities in Manila, thereby supporting the amphibious assault on the Island of Mindoro, which was a vital maneuver in the defeat of the Japanese forces in the Philippines;

Whereas the U.S.S. Wisconsin joined the Fifth Fleet to provide strategic cover for the assault on Iwo Jima by striking the Tokyo area;

Whereas the U.S.S. Wisconsin supplied crucial firepower for the invasion of Okinawa;

Whereas the U.S.S. Wisconsin served as a flagship for the Seventh Fleet during the Korean conflict;

Whereas the U.S.S. Wisconsin provided consistent naval gunfire support during the Korean conflict to the First Marine Division, the First Republic of Korea Corps, and United Nations forces;

Whereas the U.S.S. Wisconsin received 5 battle stars for World War II and one for the Korean conflict;

Whereas the U.S.S. Wisconsin returned to combat on January 17, 1991;

Whereas the U.S.S. Wisconsin served as Tomahawk strike warfare commander for the Persian Gulf, and directed the sequence of Tomahawk launches that initiated Operation Desert Storm;

Whereas the U.S.S. Wisconsin, decommissioned on September 30, 1991, is berthed at

Portsmouth, Virginia; and may soon be berthed at Nauticus, the National Maritime Museum in Norfolk, Virginia, where she would serve as a floating monument and an educational museum: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) a commemorative postage stamp should be issued by the United States Postal Service in honor of the U.S.S. Wisconsin and all those who served aboard her; and

(2) the Citizen's Stamp Advisory Committee should recommend to the Postmaster General that such a postage stamp be issued.

Mr. FEINGOLD. Mr. President, today, I have the distinct honor of submitting a resolution that commemorates one of the great vessels in our naval history and her crew members. I am joined by the senior Senator from Wisconsin, Mr. KOHL.

Mr. President, the U.S.S. Wisconsin is one of four Iowa-class battleships, the largest battleships ever built by the Navy. The four vessels, the *Wisconsin*, the *Iowa*, the *New Jersey* and the *Missouri*, served gallantly in every significant United States conflict from World War II to the Persian Gulf war.

At 887 feet, the *Wisconsin* carries a 108-foot, three-inch beam with a displacement of 45,000 tons. Her armor includes 9 sixteen-inch guns, 20 five-inch guns, 80 40-millimeter guns, and 49 20-millimeter guns. The 16-inch guns can lob shells roughly the weight of a VW Beetle to distances of up to 24 miles. The recoil of these might guns was so great that the deck had to be built of teak wood because steel plating would buckle from the stress. She was designed for a crew of 1,921 sailors, but she carried as many as 2,700 sailors during World War II and the Korean war.

Mr. President, the U.S.S. *Wisconsin* was built in Philadelphia and commissioned on 7 December 1943, exactly 2 years after the attack on Pearl Harbor. From the moment President Roosevelt selected the name of the vessel, Wisconsin citizens took an immediate interest. School children volunteered to christen the battleship. Some folks even recommended christening the *Wisconsin* with water from the Wisconsin River, instead of champagne.

In the summer of 1944, she underwent sea trials and training in the Chesapeake Bay. On 7 July, the *Wisconsin* departed from Norfolk, VA, on her way to war with the legendary Adm. William F. "Bull" Halsey and his 3rd Fleet. As U.S. Marines and infantry began their island-hopping strategy toward the home islands of Japan, *Wisconsin* sent her shells hurling with deadly accuracy into the Philippines. And coincidentally enough, the *Wisconsin's* first commander, Captain Earl E. Stone, was born in Milwaukee and attended the city's public schools and the State university before his appointment to the Naval Academy.

The *Wisconsin* then joined the 5th Fleet under another legendary commander, Adm. Raymond Spruance, and helped silence Japanese resistance on